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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION TWO

THE PEOPLE,

Plaintiff and Respondent,

v.

ALONZO JEFFREY MONK,

Defendant and Appellant.

E050617

(Super.Ct.No. FSB904915)

OPINION

APPEAL from the Superior Court of San Bernardino County. Bryan Foster,
Judge. Affirmed.

Victoria Matthews, under appointment by the Court of Appeal, for Defendant and
Appellant.

No appearance for Plaintiff and Respondent.

I

INTRODUCTION

On December 3, 2009, an information charged defendant and appellant Alonzo Monk, and two codefendants, Michael Anderson and Antonio Hollis, with first degree burglary under Penal Code¹ section 459 (count 1). The information also alleged that defendant had previously suffered three strike priors under sections 1170.12, subdivisions (a)-(d), 667, subdivision (b); three serious felony priors under section 667, subdivision (a)(1); and one prison prior under section 667.5, subdivision (b).

On February 24, 2010, defendant plead guilty to the burglary charge and admitted one strike prior and three serious felony priors in exchange for a stipulated sentence of 27 years in state prison.

The trial court sentenced defendant according to the plea agreement as follows: the upper term of six years for count 1, doubled pursuant to the strike, plus a five-year enhancement for each of the three serious felony priors, for a total of 27 years in state prison, with 153 days of presentencing credit. The trial court also ordered defendant to pay a \$79.86 booking fee, a \$60 criminal assessment fee, and a \$5,400 restitution fine under section 1202.4, with another \$5,400 parole restitution fine, stayed unless parole is revoked under section 1202.45.

¹ All further statutory references will be to the Penal Code unless otherwise indicated.

On April 19, 2010, defendant filed a timely notice of appeal from the guilty plea based on the sentence or other matters occurring after the plea and not affecting its validity. Defendant did not request a certificate of probable cause.

II

STATEMENT OF FACTS²

On November 14, 2009, Michael Anderson, Antonio Hollis, and defendant drove from Hollis's home to an apartment complex located on Tennessee Street in Redlands, with the intent to burglarize apartment No. 137. Anderson told the other two men that the occupant of the apartment, Nicholas James, was a drug dealer known to keep money in the apartment.

When the three men arrived at the apartment complex, they got out of the car to look for apartment No. 137, but they had a difficult time locating the apartment. At one point, Hollis asked the security guard of the complex if he knew where apartment No. 137 was located. The guard responded that he did not. Defendant and Hollis eventually found the apartment; they entered through a window. Shortly thereafter, the police knocked and ordered the two to come out of the apartment. Defendant and Hollis ran back to the window they had used to enter; from there, they were able to climb onto the roof. Defendant then jumped onto an adjacent patio, and Hollis stayed on the roof, which was surrounded by police officers.

² The parties stipulated that the facts presented at the preliminary hearing provided the factual basis for the plea.

Jason Radeleff, a detective with the San Bernardino County Sheriff's Department, interviewed defendant regarding this incident. Radeleff read defendant his rights under *Miranda*,³ and defendant agreed to speak with him. Defendant told Radeleff that he had been at an apartment with Hollis and Anderson, though he did not recall the number of the apartment.

Detective Radeleff also spoke with Nicholas James, the occupant of apartment No. 137. James told the detective he did not give Anderson, Hollis or defendant permission to enter his apartment that evening. James also told the detective that after the burglary, he was missing a watch and a diamond ring, and his laptop computer had been damaged.

III

ANALYSIS

After defendant appealed, and upon his request, this court appointed counsel to represent him. Counsel has filed a brief under the authority of *People v. Wende* (1979) 25 Cal.3d 436, and *Anders v. California* (1967) 386 U.S. 738 setting forth a statement of the case, a summary of the facts, and potential arguable issues, and requesting this court to undertake a review of the entire record.

We offered defendant an opportunity to file a personal supplemental brief, but he has not done so. Pursuant to the mandate of *People v. Kelly* (2006) 40 Cal.4th 106, we have conducted an independent review of the record and find no arguable issues.

³ *Miranda v. Arizona* (1966) 384 U.S. 436.

IV

DISPOSITION

The judgment is affirmed.

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/s/ McKinster
J.

We concur:

/s/ Hollenhorst
Acting P.J.
/s/ King
J.